

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6022 of 2021**

- Top Bai Adil, W/o Sumer Singh Adil, Aged About 40 Years (Wrongly Mention 19 Years In Order Sheet) Mudhpar (Sandi), Police Station Palari , District Balodabazar, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Palari, District-Balodabazar, Chhattisgarh.

---- Respondent

For Applicant : Mr. Atanu Ghosh, Advocate.

For State/respondent : Mr. Alok Nigam, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****14/09/2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to her as she is in custody in connection with Crime No.298/2021 registered at Police-Station-Palari, District-Balodabazar, Chhattisgarh for the offence punishable under Section 363, 366(A) r/w 34 of IPC and Section 18 of POCSO Act, 2012.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. She is in jail since 20.06.2021. No offence has committed by this applicant. There is no allegation of abduction etc. against this applicant. She is the mother of the main accused, therefore, her implication is totally false, therefore, it

is prayed that this applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this applicant had actively participated in concealing and confining the prosecutrix when she was brought, after the main accused abducted her, hence, the application be rejected.
4. Notice issued to the complainant has been returned served but there is no appearance and no representation.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per prosecution case, it is alleged that the co-accused Bhuvneshwar Adil allured the minor prosecutrix with promise to marry her and then after abducting the prosecutrix, this applicant kept the minor prosecutrix in confinement and concealment for some time until she was recovered by the police.
7. Considered on the submissions. Looking to the limited role of the applicant to the said commission of offence and that applicant is a woman, I feel inclined to allow the application of this applicant.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge